

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6509

BILL NUMBER: SB 304

NOTE PREPARED: Jan 1, 2010

BILL AMENDED:

SUBJECT: Firearms Safety Courses.

FIRST AUTHOR: Sen. Sipes

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: *Firearms Safety Course-* The bill prohibits a person from: (1) purchasing a firearm; (2) renting a firearm; or (3) obtaining a firearm by transfer; after December 31, 2010, unless the person has successfully completed a firearms safety course conducted by the State Police Department (ISP) or a person authorized by the Superintendent of the ISP to conduct a firearms safety course. The bill exempts certain persons from the firearms safety course requirement.

Penalty Provision- The bill makes it a Class A misdemeanor for a person to: (1) obtain a firearm; or (2) provide a firearm to another person; in violation of the firearms safety course requirement.

Rules- The bill requires the ISP to adopt rules before December 1, 2010, to implement the firearms safety course requirement.

Effective Date: Upon passage; July 1, 2010.

Explanation of State Expenditures: *Firearms Safety Course-* This provision would have an indeterminable impact on state expenditures. It is likely the ISP would be able to adopt rules for the safety course within existing resources.

Background: Commonwealth of Maryland Program- The bill is based on Maryland state law for the provision of a firearms course. At the beginning of their program, Maryland paid approximately \$400,000 per year to maintain the program. Expenditures included the production and copying of training videos. In addition, Maryland paid instructors from local law enforcement agencies. In the end, Maryland established 19

memorandums of understanding in 23 counties to offer the course. Officers were paid \$25 per hour for instruction time. Since the introduction of the program in Maryland, the state has gone to an online video and registration service with the course. The cost to place the program online was approximately \$170,000 to \$180,000 initially. However, now, Maryland only requires minimal annual maintenance cost on their online system.

Explanation of State Revenues: *Penalty Provision-* If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund.

If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), public defense administration fee (\$3), court administration fee (\$5), judicial insurance adjustment fee (\$1), and the DNA sample processing fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures: *Penalty Provision-* A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision-* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. In addition, several additional fees may be collected at the discretion of the judge and depending upon the particular type of criminal case.

State Agencies Affected: ISP.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Shannon Bohrer, Maryland Department of Public Safety and Correction, Education and Training Section, 410-552-6300.

Fiscal Analyst: Chris Baker, 317-232-9851.